

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

DISCOVERY PLAN  
JOINTLY SUBMITTED PURSUANT  
TO FED. R. CIV. PRO. 26(f)

**Date/Place of Conference:**

October 11 & 15, 2012 (Telephonic)

**Counsel Present/Representing:**

Walter P. Maksym, Jr. for Plaintiffs.  
William Macy Aquiar for Defendants.

#### A. Rule 2(a) Disclosures

The parties request that the Court permit them to opt out of compliance with Rule 26(a) and proceed instead with discovery as outlined below in Part B.

## B. Subjects of Discovery and Discovery Schedule

The parties will conduct discovery on the merits of Plaintiffs' remaining claims, which challenge the constitutionality of various provisions of the City's Responsible Gun Owners' Ordinance, and on Plaintiffs' class allegations. The parties propose that merits and class discovery occur simultaneously.

In light of the large number of claims in Plaintiffs' Complaint, the parties propose that fact discovery be bifurcated into written and oral fact discovery, followed by a period for expert discovery. The parties' proposed schedule is as follows:

Written Fact Discovery Closes: February 17, 2013  
Oral Fact Discovery Closes: June 14, 2013  
Plaintiffs' Disclosure of Experts: August 1, 2013  
Defendants' Disclosure of Experts: September 1, 2013  
Expert Discovery Closes: October 31, 2013

**C. Disclosure of Electronically Stored Information**

The parties do not foresee any issues at this time concerning the discovery of electronically stored information.

**D. Privilege Claims**

The parties do not foresee any issues at this time concerning claims of privilege or of protection as to trial-preparation materials. The party responding to a discovery request will assert any such privilege at the time it responds to the discovery request, and the requesting party, after consultation pursuant to the Local Rules, may seek an order from this Court seeking to compel production of the withheld information.

**E. Changes to Limitations on Discovery**

Plaintiffs wish to limit the length of depositions to 3 hours. Defendants do not agree and assert that there is no justified reason for departing from the 7 hour limit established by Fed. R. Civ. P. 30(d)(1).

Plaintiffs wish to limit each party to 20 interrogatories. Defendants do not agree and assert that there is no justified reason for departing from the 25 interrogatory limit established by Fed. R. Civ. P. 33(a)(1).

Plaintiffs wish to limit each party to 20 requests for admission. Defendants do not agree and assert that there is no justified reason for imposing a limit on requests for admission, which is contrary to the plain language of Fed. R. Civ. P. 36.

**F. Other Orders**

The parties do not believe that any other orders pursuant to Rules 26(c) or 16(b) are required at this time.

*Respectfully submitted,*

/s/ Walter P. Maksym, Jr.

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/s/ William Macy Aguiar

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